

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN  
GREEN BAY DIVISION**

---

APPLETON PAPERS INC. and  
NCR CORPORATION,

Plaintiffs,

v.

Case No. 08-C -16

GEORGE A. WHITING PAPER COMPANY, et al.,

Defendants.

---

**ORDER**

---

Based on the stipulation submitted by Defendant/Counter-Plaintiff Neenah-Menasha Sewerage Commission (“NMSC”) and Plaintiff/Counter-Defendant NCR Corporation (“NCR”),

**IT IS HEREBY ORDERED** that:

1. The state-law counterclaims asserted by NMSC against NCR in NMSC’s Answer and Affirmative Defenses to Sixth Amended Complaint and Counterclaims (Dkt. No. 261), namely NMSC’s counterclaim for “common law contribution, cost recovery, and indemnity” and NMSC’s counterclaim for breach of the Tolling Agreement between those parties are hereby dismissed with prejudice.

2. The Court’s judgment to be entered in favor of NMSC and against NCR pursuant to the Court’s February 28, 2011 Order (Dkt. No. 1080) on NMSC’s statutory contribution claim under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) will be in the amount of \$37,041.53.

3. This Order shall not affect any of NCR's rights to challenge, on appeal or otherwise, the Court's February 28, 2011 Order granting summary judgment to NMSC (Dkt. No. 1080).

**SO ORDERED** this 8th day of August, 2012.

s/ William C. Griesbach  
Hon. William C. Griesbach  
U.S. District Court Judge